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10 **BEFORE THE**
11 **STRUCTURAL PEST CONTROL BOARD**
12 **DEPARTMENT OF PESTICIDE REGULATION**
13 **STATE OF CALIFORNIA**

14 In the Matter of the Accusation Against:

Case No. 2010-23

15 **CAMERON D. JUSLIN**
16 **1409 Springhill Drive**
17 **Pittsburg, California 94565**
18 **Field Representative's License No. FR**
19 **40334, Branch 2**

DEFAULT DECISION AND ORDER

[Gov. Code, §11520]

20 Respondent.

21 **FINDINGS OF FACT**

22 1. On or about October 29, 2009, Complainant Kelli Okuma, in her official capacity as
23 the Registrar/Executive Officer of the Structural Pest Control Board, Department of Pesticide
24 Regulation, filed Accusation No. 2010-23 against Cameron D. Juslin (Respondent) before the
25 Structural Pest Control Board.

26 2. On or about June 19, 2006, the Structural Pest Control Board (Board) issued Field
27 Representative's License No. FR 40334, Branch 2, to Respondent. The Field Representative's
28 License was in full force and effect at all times relevant to the charges brought herein and will
expire on June 30, 2011, unless renewed.

1 3. On or about November 5, 2009, Carol L. Grays, an employee of the Department of
2 Justice, served by Certified and First Class Mail a copy of Accusation No. 2010-23, Statement to
3 Respondent, Notice of Defense, Request for Discovery, and Government Code sections 11507.5,
4 11507.6, and 11507.7 to Respondent's address of record with the Board, which was and is 1409
5 Springhill Drive, Pittsburg, California 94565. (A copy of the Accusation is attached as Exhibit A,
6 and is incorporated herein by reference.)

7 4. Service of the Accusation was effective as a matter of law under the provisions of
8 Government Code section 11505, subdivision (c).

9 5. Government Code section 11506 states, in pertinent part:

10 (c) The respondent shall be entitled to a hearing on the merits if the respondent
11 files a notice of defense, and the notice shall be deemed a specific denial of all parts
12 of the accusation not expressly admitted. Failure to file a notice of defense shall
constitute a waiver of respondent's right to a hearing, but the agency in its discretion
may nevertheless grant a hearing.

13 6. Respondent failed to file a Notice of Defense within 15 days after service upon him
14 of the Accusation, and therefore waived his right to a hearing on the merits of Accusation No.
15 2010-23.

16 7. California Government Code section 11520 states, in pertinent part:

17 (a) If the respondent either fails to file a notice of defense or to appear at the
18 hearing, the agency may take action based upon the respondent's express admissions
19 or upon other evidence and affidavits may be used as evidence without any notice to
respondent.

20 8. Pursuant to its authority under Government Code section 11520, the Board finds
21 Respondent is in default. The Board will take action without further hearing and, based on the
22 evidence on file herein, finds that the allegations in Accusation No. 2010-23 are true.

23 9. The total costs for investigation and enforcement in connection with the Accusation
24 are \$1,132.50 as of December 2, 2009.

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DETERMINATION OF ISSUES

1. Based on the foregoing findings of fact, Respondent Cameron D. Juslin has subjected his Field Representative's License No. FR 40334 to discipline.

2. A copy of the Accusation is attached.

3. The agency has jurisdiction to adjudicate this case by default.

4. The Structural Pest Control Board is authorized to revoke Respondent's Field Representative's License based upon the following violations alleged in the Accusation:

a. Business and Professions Code (Code) section 8641 in that Respondent failed to comply with the requirements of Title 16, California Code of Regulations, section 1950, subdivision (d) by failing to provide proof of having acquired 16 hours of continuing education, as claimed, under penalty of perjury, on his renewal application dated July 18, 2008, after having been requested by the Board in writing on December 15, 2008, January 20, 2009, and March 19, 2009 to submit copies of his continuing education certificates for the three year renewal period of July 1, 2005 through June 30, 2008.

b. Section 8637 of the Code in that Respondent obtained the renewal of his field representative's license by misrepresenting the material fact that he had acquired 16 hours of continuing education, when in fact he had not.

c. Section 8642 of the Code in that Respondent committed a fraudulent act by certifying under penalty of perjury on his renewal application that he had acquired and could demonstrate 16 hours of continuing education in order to meet the license renewal requirements pursuant to Title 16, California Code of Regulations, section 1950, subdivision (d), when in fact he failed to obtain 16 hours of continuing education and/or failed to demonstrate that he had done so.

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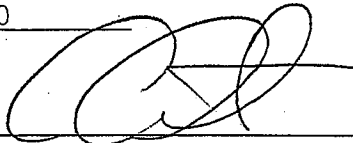
ORDER

IT IS SO ORDERED that Field Representative's License No. FR 40334, heretofore issued to Respondent Cameron D. Juslin, is revoked.

Pursuant to Government Code section 11520, subdivision (c), Respondent may serve a written motion requesting that the Decision be vacated and stating the grounds relied on within seven (7) days after service of the Decision on Respondent. The agency in its discretion may vacate the Decision and grant a hearing on a showing of good cause, as defined in the statute.

This Decision shall become effective on February 11, 2010.

It is so ORDERED January 12, 2010



FOR THE STRUCTURAL PEST CONTROL BOARD
DEPARTMENT OF PESTICIDE REGULATION

Attachment:

Exhibit A: Accusation No. 2010-23

Exhibit A

Accusation No. 2010-23

1 EDMUND G. BROWN JR.
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7 Attorneys for Complainant

FILED

Date 10/29/09 By Kelli Okuma

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BEFORE THE
STRUCTURAL PEST CONTROL BOARD
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Accusation Against:

Case No. 2010-23

CAMERON D. JUSLIN
1409 Springhill Drive
Pittsburg, CA 94565
Field Representative's License No. FR
40334, Branch 2.

ACCUSATION

Respondent.

Complainant alleges:

PARTIES

1. Kelli Okuma (Complainant) brings this Accusation solely in her official capacity as the Registrar/Executive Officer of the Structural Pest Control Board, Department of Consumer Affairs.
2. On or about June 19, 2006, the Structural Pest Control Board issued Field Representative's License Number FR 40334, Branch 2, to Cameron D. Juslin (Respondent). The Field Representative's License was in full force and effect at all times relevant to the charges brought herein and will expire on June 30, 2011, unless renewed.

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1 9. Section 8593 of the Code states, in pertinent part:

2 “The board shall require as a condition to the renewal of each operator’s and field
3 representative’s license that the holder submit proof satisfactory to the board that he or she has
4 informed himself or herself of developments in the field of pest control either by completion of
5 courses of continuing education in pest control approved by the board or equivalent activity
6 approved by the board. In lieu of submitting that proof, the licenseholder, if he or she so desires,
7 may take and successfully complete an examination given by the board, designed to test his or her
8 knowledge of developments in the field of pest control since the issuance of his or her license.”

9 10. Section 8637 of the Code states:

10 “Misrepresentation of a material fact by the applicant in obtaining a license or
11 company registration is a ground for disciplinary action.”

12 11. Section 8641 of the Code states, in pertinent part, that failure to comply with the
13 provisions of this chapter, or any rule or regulation adopted by the Board is a ground for
14 disciplinary action.

15 12. Section 8642 of the Code states:

16 “The commission of any grossly negligent or fraudulent act by the licensee as a
17 pest control operator, field representative, or applicator is a ground for disciplinary action.”

18 13. Title 16, California Code of Regulations, section 1950, subdivision (d) states, in
19 pertinent part:

20 “Field representatives licensed in one branch of pest control shall have completed
21 16 continuing education hours, field representatives licensed in two branches of pest control shall
22 have completed 20 hours continuing education hours, field representative licensed in three
23 branches of pest control shall have completed 24 hours continuing education hours during each
24 three year renewal period. In each case, a minimum of four continuing education hours in a
25 technical subject directly related to each branch of pest control held by the licensee must be
26 gained for each branch of pest control licensed and a minimum of eight hours must be gained
27 from Board approved courses on the Structural Pest Control Act and its rules and regulations.”

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14. Section 125.3 of the Code states, in pertinent part, that the Board may request the administrative law judge to direct a licentiate found to have committed a violation or violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation and enforcement of the case.

APPLICATION INFORMATION

15. At some time after on or about July 18, 2008, the Board received an application to renew Field Representative's License Number FR 40334, Branch 2, from Respondent. On or about July 18, 2008, Respondent certified under penalty of perjury that the information contained in the application was true and correct. In order to assure compliance with the continuing education requirements for the 2008 renewal period, Respondent was instructed by letters, dated December 15, 2008, January 20, 2009, and May 19, 2009 to submit to the Board copies of continuing education completion certificates for the renewal period of July 1, 2005 through June 30, 2008.

FIRST CAUSE FOR DISCIPLINARY ACTION

(Failure to Provide Proof of Continuing Education)

16. Respondent has subjected his field representative's license to disciplinary action under Section 8641 of the Code in that he failed to comply with the requirements of Title 16, California Code of Regulations, section 1950, subdivision (d), by failing to provide proof of having acquired 16 hours of continuing education, as claimed on his renewal application dated July 18, 2008, after having been requested by the Board in writing on December 15, 2008, January 20, 2009, and March 19, 2009 to submit copies of his continuing education certificates for the three year renewal period of July 1, 2005 through June 30, 2008.

SECOND CAUSE FOR DISCIPLINARY ACTION

(Misrepresentation)

17. Respondent has subjected his field representative's license to disciplinary action under Section 8637 of the Code in that he obtained the renewal of his field representative's license by misrepresenting the material fact that he had acquired 16 hours of continuing education, when in fact he had not.

1 THIRD CAUSE FOR DISCIPLINARY ACTION

2 (Fraudulent Act)

3 18. Respondent has subjected his field representative's license to disciplinary action
4 under Section 8642 of the Code in that he committed a fraudulent act by certifying under penalty
5 of perjury on his renewal application that he had acquired and could demonstrate 16 hours of
6 continuing education in order to meet the license renewal requirements pursuant to Title 16,
7 California Code of Regulations, section 1950, subdivision (d), when in fact he failed to obtain 16
8 hours of continuing education and/or failed to demonstrate that he had done so.

9 PRAYER


10 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,
11 and that following the hearing, the Structural Pest Control Board issue a decision:

12 1. Revoking or suspending Field Representative's License Number FR 40334, Branch 2,
13 issued to Cameron D. Juslin (Respondent);

14 2. Ordering Respondent to pay the Structural Pest Control Board the reasonable costs of
15 the investigation and enforcement of this case, pursuant to Business and Professions Code section
16 125.3; and

17 3. Taking such other and further action as deemed necessary and proper.
18

19 DATED: 10/29/09


KELLI OKUMA
Registrar/Executive Officer
Structural Pest Control Board
Department of Consumer Affairs
State of California
Complainant

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25 CR: 10/22/09
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